

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

FILED

JUN 23 2010

SECRETARY, BOARD OF
OIL, GAS & MINING

UTAH CHAPTER OF THE SIERRA CLUB,
et al, Petitioners,

vs.

UTAH DIVISION OF OIL, GAS & MINING
and
ALTON COAL DEVELOPMENT, LLC,
Respondents.

**DECLARATION OF
DANA DEAN**

Docket No. 2009-019

Cause No. C/025/0005

DECLARATION

I, Dana Dean, declare under penalty of perjury as follows:

To the best of my personal knowledge each of the facts set forth below is true, and if called upon I could and would testify regarding the following in the above-captioned matter.

1. I am a citizen of the United States over the age of 21 years and of sound mind.
2. I am the Associate Director for Mining at the Utah Division of Oil Gas and Mining, and I am responsible for the directing the review of the application of Alton Coal Development, Inc. (ACD) for a permit to conduct surface mining operations at the Coal Hollow Mine project.
3. Utah Administrative Rule R645-301-421 requires that mining operations will be conducted in compliance with the requirements of the Clean air Act and any other applicable Utah or federal statutes and regulations that pertain to air quality standards, and Rule R645-301-423.100 requires that the application contain an air pollution control plan which includes an air quality monitoring program that will provide sufficient data to evaluate the effectiveness of the fugitive dust control practices proposed to comply with the federal and Utah air quality standards.
4. The Division's decision to approve the Coal Hollow mine application required as a condition of the permit that "The Applicant must receive an Air Quality Approval Order prior to conducting surface mining."
5. I understand that ACD has now submitted to UDAQ all of the necessary information to obtain an air quality permit and approval of its fugitive dust control practices and monitoring plan, and that the information includes Alton's proposed Fugitive Dust Control Plan

as Appendix E to Alton's Best Available Control Technology analysis, and Alton's proposed Method 9 Opacity Methodology and Documentation.

6. It is my understanding that once approved by UDAQ, Alton's initial Air Quality Approval Order is subject to a thirty-day public review period. If the initial order is not contested during the comment period, it will become final. If contested, the initial order may be reviewed in a hearing before the Air Quality Board. See Utah Admin. Code r. 307-103-2 and 3.

Pursuant to Utah Code § 78B-5-705, I DECLARE, under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of June, 2010, in Salt Lake City, Utah.


